



CONFLICT AND DISCLOSURE OF INTEREST POLICY

Approved/last reviewed by Policy Sub Committee: 15 May 2024

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The information in this document is available in other languages or on tape/CD, in large print and also in Braille.

For details contact the Association on 0141 578 0200 or e-mail: admin@hillheadhousing.org

本文件所載資料備有中文(廣東話)版本，也可以製作成錄音帶/光碟，以及利用特大字體和凸字印製，以供索取。
欲知有關詳情，請聯絡本協會，電話：0141 578 0200，或向我們發送電郵，電郵地址：
admin@hillheadhousing.org

Tha am fiosrachadh anns an sgrìobhainn seo ri fhaotainn ann an Gàidhlig no air teip/CD, sa chlà mhòr agus cuideachd ann an Clò nan Dall.
Airson tuilleadh fiosrachaidh, cuiribh fios dhan Chomann air 0141 578 0200 no cuiribh post-dealain gu: admin@hillheadhousing.org

इस दस्तावेज़ में दी गई जानकारी हिन्दी में भी या टेप, सी डी, बड़ी छाप और ब्रैल में भी उपलब्ध है। विवरण के लिए एसोसिएशन को नम्बर 0141 578 0200 पर या ई-मेल के द्वारा सम्पर्क करें :
admin@hillheadhousing.org

ਇਸ ਦਸਤਾਵੇਜ਼ ਵਿਚ ਦਿੱਤੀ ਗਈ ਜਾਣਕਾਰੀ ਪੰਜਾਬੀ ਵਿੱਚ ਵੀ ਜਾਂ ਟੇਪ, ਸੀ ਡੀ, ਵੱਡੀ ਛਪਾਈ ਅਤੇ ਬ੍ਰੈਲ 'ਤੇ ਵੀ ਉਪਲਬਧ ਹੈ। ਵੇਰਵੇ ਲਈ ਐਸੋਸੀਏਸ਼ਨ ਨੂੰ ਨੰਬਰ 0141 578 0200 'ਤੇ ਜਾਂ ਈ-ਮੇਲ ਰਾਹੀਂ ਸੰਪਰਕ ਕਰੋ :
admin@hillheadhousing.org

اس دستاویز میں درج معلومات اردو زبان یا آڈیو ٹیپ / سی ڈی، بڑی طباعت اور بریل میں بھی دستیاب ہیں۔
تفصیلات کے لئے ایسوسی ایشن سے ٹیلیفون نمبر 0141 578 0200 یا ای میل admin@hillheadhousing.org کے ذریعے رابطہ قائم کریں۔

POLICY AND PROCEDURES FOR DEALING WITH CONFLICT AND DISCLOSURE OF INTEREST

1. INTRODUCTION

- 1.1 Hillhead Housing Association 2000 aims to conduct its business in an open and transparent manner and in accordance with best practice for bodies in receipt of public funds.
- 1.2 An important contribution to this process is to ensure where possible that decision makers have no duality of interest, or where this exists, to have the interest declared and recorded.
- 1.3 The Association seeks to avoid conflict of interest between Committee members and the Association and to deal effectively with any conflicts which arise.
Potential conflict is addressed in the following documents:
 - the Rules of the Association
 - the Code of Conduct for Committee Members
 - Standing Orders
 - Policy on Gifts and Hospitality
- 1.4 This policy and procedure note pulls together guidance for both committee and staff.

2. COMMITTEE

2.1 Eligibility

The Rules of the Association set down eligibility for the Committee. Committee members are required to complete a declaration confirming their eligibility priority to election or co-option to the Committee (Appendix 1).

2.2 Committee Code of Conduct

All Committee members must complete a declaration confirming they will abide by the Association's Code of Conduct. This is signed at the start of membership, and thereafter following each Annual General Meeting. The Code of Conduct states that *"Association committee members must disclose any personal interest in an issue under discussion before the discussion takes place"*.

2.3 Disclosure of Interests

As set down in the Association's Standing Orders, a register of member's interests in other companies, partnerships, voluntary organisations or similar shall be maintained. Committee members will be required on an annual basis to complete a declaration form (Appendix 2). The Rules of the Association, 38.1 to 38.3, outline how Committee Members' interests are managed.

2.4 Gifts and Hospitality

In accordance with the Policy on Gifts and Hospitality, a Register is maintained in which Committee members must record gifts and hospitality received.

2.5 Meetings

Hillhead Housing Association's standing orders state " All Committee members who have a conflict of interest in any matter being discussed at a meeting, must declare

this. The member may be required to leave the room during the discussion and will not be allowed to vote.” *The Chairperson will, however, decide whether the Committee member may be heard on the matter”.*

2.6 Breaches

A Committee member who breaches this guidance on conflict of interest will be given the opportunity to rectify the matter if the breach is minor; a serious breach would result in the possibility of the member being removed from office as provided in the Standing Orders.

3. STAFF

3.1 EVH Terms and Conditions of Service

Section C.1.2 “Interest in contracts and appointments” states:

You must, as soon as possible, tell your line manager in writing, if you discover:

- *we have, or plan to enter into, a contract or an appointment; and*
- *you have a financial or private interest in that contract or appointment. This interest can be direct or indirect (which includes some situations where you are not a party to it but your relatives or friends are).*

Section C.1.6 “other employment and volunteering activities” states:

“You may not accept a post or carry out any occupation or activity which would:

- *Mean you need to take time off during your contracted hours; or*
- *Affect your performance at work.*

In exceptional circumstances, we grant permission for these extra activities. You should ask permission beforehand. If you are in any doubt as to whether this condition would apply, please ask your Line Manager.”

3.2 Staff Code of Conduct

The Code of Conduct sets out in considerably more detail how a conflict of interest may be defined and gives examples of situations which may occur. The Code of Conduct requires disclosures of interest to be made to the relevant departmental manager and line manager. Staff are expected to comply with guidance within the Code of Conduct.

3.3 Disclosure of Interests

New members of staff will be issued with a declaration of interest form as part of their induction, and this form will be completed on an annual basis by all staff.

The register, and the issue and compilation of declaration of interest forms to both committee members and staff, shall be the responsibility of the Head of Corporate Services.

5. POLICY AND PROCEDURE REVIEW

This document will be reviewed once every three years , or earlier in response to change in best practice, and regulatory requirements.

Appendix 1

HILLHEAD HOUSING ASSOCIATION 2000

Declaration for Members of the Management Committee

I confirm:

- a. I am aged over 18
- b. I am not an employee of the Association nor a close relative of an employee
- c. I have read and understand the conditions for eligibility for membership of the management Committee under Rule 43 and confirm I am eligible
- d. I understand and accept my responsibility to advise the Association of any change in circumstances relevant to my membership of the Committee.

Name: _____

Address: _____

Signature: _____

Date: _____

HILLHEAD HOUSING ASSOCIATION 2000

DISCLOSURE OF INTEREST DECLARATION

In accordance with the Association's Payments & Benefits Policy the Association will not normally engage or pay any contractors, consultants or other business trading for profit, if any partner, significant shareholder, director or person directly concerned in the firm's management is defined as a connected person (Appendix 1) of an employee.

The award of a commercial contract by the Association to a Committee Member, employee or "connected person", such as a building contract, letting of commercial premises or provision of services or supplies, may be permitted but only if the Committee Member, employee or "connected person" has had no involvement in the decision making process leading to award of that contract. If the contract relates to a Committee Member or a person "connected" to a Committee Member, the Association must first meet the conditions set out with Section 68 of the Charities and Trustee Investment (Scotland), Act 2005. These are set out in the Association's Payments & Benefits Policy.

All Committee Members, employees and job interviewees are therefore asked to complete this form on an annual basis (or as otherwise deemed appropriate), and return to the Head of Corporate Services within 2 weeks.

This form must be returned regardless of whether you have anything to declare or not.

Name

Job Title

Membership of any other organisations * Yes ☐ No ☐

If yes, please give details

Are you or is a close relative a significant shareholder, director or person directly concerned in the management of an organisation who provides goods or services to the Association (see attached list)

Yes ☐ No ☐

If yes, please give details including name of organisation & relationship to yourself or close relative

Signed

| | |
|----------------------|-------|
| <input type="text"/> | Date: |
|----------------------|-------|

Director's signature

| | |
|----------------------|-------|
| <input type="text"/> | Date: |
|----------------------|-------|

If you have any queries about how to complete this form, please contact Mandy White, Head of Corporate Services at mwhite@hillheadhousing.org.

*** This should exclude membership of sporting and social clubs/organisations, but would include membership of voluntary organisations and companies where there might be a potential conflict of interest.**

Appendix 1: definition of “connected person”

In summary: a person is connected with:

Family =

- Spouses, civil partners, co-habitees
- Children, parents, grandchildren, grandparents, siblings and any spouses of these relatives

Institutions = if controlled by, or conducted in accordance with the person’s wishes, (directly or through nominee(s)) by:

- The trustee or
- A connected family member (above) or
- A connected Corporate body or Partnership (below)

Corporate bodies = if substantial interest (more than one fifth of: the share capital; or the voting power at any general meeting) held by:

- The trustee or
- A connected family member or Institution (above) or
- A connected Partnership (below)

Partnerships = if one or more partner is:

- The trustee or
- A connected family member (above)

The full definition: Section 68 of the Charities and Trustee Investment (Scotland) Act 2005 defines individuals who are “connected” to a charity trustee as follows:

(2) ... the following persons are “connected” with a charity trustee—

(a) any person—

- (i) to whom the trustee is married,
- (ii) who is the civil partner of the trustee, or
- (iii) with whom the trustee is living as husband and wife or, where the trustee and the other person are of the same sex, in an equivalent relationship,

(b) any child, parent, grandchild, grandparent, brother or sister of the trustee (and any spouse of any such person),

(c) any institution which is controlled (whether directly or through one or more nominees) by—

- (i) the charity trustee,
- (ii) any person with whom the charity trustee is connected by virtue of paragraph (a), (b), (d) or (e), or
- (iii) two or more persons falling within sub-paragraph (i) or (ii), when taken together,

(d) a body corporate in which—

- (i) the charity trustee has a substantial interest,
- (ii) any person with whom the charity trustee is connected by virtue of paragraph (a), (b), (c) or (e) has a substantial interest, or
- (iii) two or more persons falling within sub-paragraph (i) or (ii), when taken together, have a substantial interest

(e) a Scottish partnership in which one or more of the partners is—

- (i) the charity trustee, or
- (ii) a person with whom the charity trustee is, by virtue of paragraph (a) or (b), connected.

(3) For the purposes of subsection (2) a person who is—

- (a) another person’s stepchild, or
 - (b) brought up or treated by another person as if the person were a child of the other person,
- is to be treated as that other person’s child.